

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

1) MADAME HABYARIMANA,  
in her own capacity and on behalf of the  
estate of the deceased President of Rwanda,  
JUVENAL HABYARIMANA;

2) MADAME NTARYAMIRA;  
in her own capacity and on behalf of the  
estate of the deceased President of Burundi,  
CYPRIEN NTARYAMIRA;

Plaintiffs,

v.

1) PAUL KAGAME, President of the  
Republic of Rwanda,

Defendant.

**FILED**

AUG 31 2011

ROBERT D. DENNIS, CLERK  
U.S. DIST. COURT, WESTERN DIST. OF OKLA.  
BY Wh DEPUTY

Case No. CIV-10-437-W

**ORDER**

On June 23, 2011, the Court entered its order ruling that the plaintiffs had failed to effect service upon Paul Kagame, President of the Republic of Rwanda. The Court noted that the Republic of Rwanda had requested that the U.S. Government submit to the Court either a statement of its interest in the claims underlying this lawsuit or a suggestion that President Kagame is immune from suit. Neither a statement of interest nor a suggestion of immunity had been submitted by the time the Court entered its order. Recognizing the primacy of executive branch's interest in suits against heads of foreign states, the Court declined to consider President Kagame's assertions of head of state and diplomatic immunity until the United States had sufficient time to make its position known. In the interim, the Court

granted plaintiffs an additional 120 days in which to obtain valid service upon President Kagame.

The Court is now in receipt of the Suggestion of Immunity Submitted by the United States of America (docket entry no. 49). In light of the United States' interest in the claims asserted by the plaintiffs, and its formal suggestion that President Kagame is immune from suit, the Court hereby ORDERS the plaintiffs to respond within ten days to the United States' request that these proceedings be dismissed.

ENTERED this 31<sup>st</sup> day of August, 2011.



**LEE R. WEST**  
**UNITED STATES DISTRICT JUDGE**